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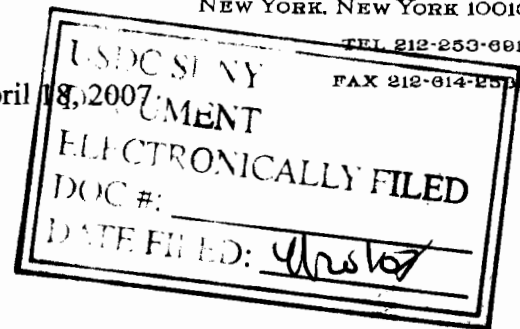
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MEMO ENDORSED

April 18, 2007



Via Facsimile

Honorable Kenneth M. Karas  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 920  
New York, NY 10007

Re: Alexander Dunlop v. The City of New York et al., 06- cv-433 (KMK) (JCF)

Dear Honorable Karas,

This office represents the Plaintiff, Alexander Dunlop in the above referenced matter. As Your Honor is aware, our request for an extension of time to reply to the District Attorney's Motion to Dismiss was granted through May 31, 2007. This request was unopposed by Michael Morgan, Esq. However, Mr. Mirro has opposed our request for the same extension of time to reply to the City's Motion to Dismiss, an extension which would in no way delay or prejudice any of the parties. Instead in his letter dated April 16, 2007, Mr. Mirro suggests that we have less than the 30 days order by Your Honor to respond to the motion, moving our reply date from April 23, 2007 to April 20, 2007.<sup>1</sup>

This is especially surprising in light of the good faith efforts our office has used to engage in settlement efforts requested and initiate by Mr. Mirro's office. It is because of these settlement efforts that we are requesting this adjournment. We have not requested an adjournment in the past and also consented to Mr. Mirro's prior request for an adjournment.

We respectfully request that Your Honor grant an adjournment to reply to the City's Motion to the same date already granted in regard to the District Attorney's motion as it does not prejudice any of the parties and will set a uniform reply date for both Motions. Thank you for your consideration.

cc: James Mirro, Esq.  
Michael Morgan, Esq.

Respectfully submitted,

*Gina M. Bonica*

Gina M. Bonica

SO ORDERED

KENNETH M. KARAS U.S.D.J.

4/19/07

<sup>1</sup> Our office was served via email on March 22, 2007 which would make our reply due on Saturday, April 21, 2007. Our reply would therefore be served on Monday, April 23, 2007.



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

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April 16, 2007

**BY HAND**


The Honorable Kenneth M. Karas  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 920  
New York, New York 10007-1312

***Re: Dunlop v. The City of New York, et al.***  
***USDC SDNY 06 CV 433 (KMK) (JCF)***

Dear Judge Karas:

Defendants consent to permit plaintiff one additional week in which to oppose defendants' motions to dismiss. Defendants oppose plaintiff's request for an extension through May 31, 2007, substantially for the reasons set forth in the attached email. Defendants have granted plaintiff numerous extensions in this case. Now, it has been over six months since defendants first sought permission to file motions concerning the serious defects in plaintiff's pleading. In the interim, the Court granted plaintiff's request to amend his pleading, but plaintiff failed to cure the cited defects. To justify his request for this lengthy extension, plaintiff recites his "continuing efforts to negotiate settlement in this matter." Unfortunately, the fact is that there have been no settlement discussions at all in months (see defendants' letter of March 15, 2007 attached). In fact, plaintiff has not yet made a settlement demand. Defendants served plaintiff with defendants' motions to dismiss on March 15, 2007 and March 22, 2007. Defendants now request that the Court order plaintiff to respond, or grant the defendants' motions as unopposed, by April 20, 2007.

Very truly yours,

  
James Mirro

cc: Gina M. Bonica, Esq. (by fax)